

# NATIVE AMERICAN NETWORK

Fall 2005

District of Nevada

Majestic Boulder Dam is dedicated by President Franklin D. Roosevelt on September 30, 1935.



**DANIEL G. BOGDEN**  
**UNITED STATES ATTORNEY**

U.S. Attorney's Office, Las Vegas  
U.S. Attorney's Office, Reno

(702) 388-6336; (800) 539-8002; fax: (702) 388-6418  
(775) 784-5438; (800) 303-5545; fax: (775) 784-5181

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FROM THE DESK OF  
DANIEL G. BOGDEN, UNITED STATES ATTORNEY

## 11<sup>th</sup> Annual Native American Conference, Winnemucca, Nevada

This year's conference was another major success, and we have already begun planning for next year's conference. The conference included motivational speaker JoAnn Nai-che, addressing such topics as, "A Positive Approach to Difficult People" and "Balancing Home, Work and Family." Other important conference topics included, "State and Federal Victim Assistance," "Fetal Alcohol Syndrome - The Youngest Victims," "Respite Care Services," "Forensic Interviewing of Child Victims for First Responders," "Family Violence & Elder Abuse in Native American Cultures," "Justice for All Act: Justice Isn't Served Until Crime Victims Are," "Crime Victims Compensation," and "Indian Country Jurisdictional Issues." My thanks to our guest speakers and conference presenters - Dennis Greenhouse, Vickie Dillon, Maureen Seitz, Barbara Schell, Maxine Lantz, JoAnn Nai-che, Nadja Jones, Debbie Waite, Barbara Durbin, Laurie Caldwell, Sue Fahami, Molly Hernandez, Jason Thompson, John Chavers, Selanhongva McDonald, Major Brian Thayer, Captain Keith Alfieri, Laura Fillmore, Lisa Grayshield and Jo Hally. Each of them added something informative and special to our conference. At our working dinner and acknowledgment ceremony on Thursday night, we heard from some of our law enforcement partners concerning their efforts in Indian Country as well as a very special cultural presentation entitled "Gemushe:gewha" "Tell Story": Bringing the Old Ways Up With Our Modern Children." The program directors were Laura Fillmore and Lisa Grayshield and the songs and stories were performed by Dawatilaumei Fillmore, Hili:za Fillmore, C'udut Wahnetah, Gabrielle Wahnetah and P'ec'umeli' Wahnetah.

The annual conference serves an important outreach function, and like our website, e-mail network, mailing list, newsletter and Tribal Liaison, it works to inform, educate and assist our Native American reservations and colonies throughout the District. Our outreach efforts encompass the entire District and include 31 Native American reservations and colonies, such as the Fort McDermitt Indian Reservation on the northern Nevada/Oregon border; the Duck Valley Indian Reservation on the northern Nevada/Idaho border; the Goshute Indian Reservation on the eastern Nevada/Utah border; the Fort Mojave Indian Reservation on the southern Nevada/Arizona border; and a multitude of Indian Colonies and Reservations in the Washoe, Mineral, Churchill and Storey County areas of northwest Nevada. We believe our outreach efforts are working. For instance, in FY 2002, the Office of Justice Programs (OJP) and Community Oriented Policing Services (COPS), awarded 16 grants to 10 different tribes in the amount of \$2,304,014. In FY 2003, OJP and COPS awarded 24 grants to 10 tribes totaling \$2,677,896. In FY 2004, we saw major increases in the number of OJP and COPS grants awarded and the level of funding - 26 grants were awarded to 12 different tribes totaling \$4,297,770. These additional DOJ funding awards and other federal funding to the Native American communities in Nevada is genuinely having a positive impact.

My special thanks goes out to our Tribal Prosecutor/ Tribal Liaison AUSA Sue Fahami, our Victim Witness Coordinator Vickie Dillon, and Victim Witness Specialist Debbie Waite for all their efforts in organizing and facilitating this very important conference and making it such a successful event. The training and outreach efforts of our office are ongoing as we continue in our attempts to make a difference in our Native American communities.

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## **Violent Crimes And Property Crimes Remained At 30-Year Lows In 2004**

Violent and property crime rates in 2004 remained at the lowest levels since the Bureau of Justice Statistics (BJS) first conducted its annual National Criminal Victimization Survey in 1973, the Department of Justice recently announced. Though no significant declines were observed between 2003 and 2004, the average annual violent crime rates for the period 2003-2004 were lower than crime rates for the previous period 2001-2002. The rate of every major violent and property crime measured by the survey (rape/sexual assault, robbery, aggravated assault, simple assault, burglary, theft, and motor vehicle theft) fell significantly between 1993 and 2004. Victimization rates for every major type of crime measured were unchanged from 2003 to 2004.

## **AG Gonzales Issued The Following Statement Concerning The Violent Crime Report:**

"Violent crime is at its lowest level in more than 30 years, and across our Nation, Americans are safer and more secure. During 2004, the violent and property crime rates were at the lowest levels ever recorded by the survey. Since 1993, the violent crime rate has fallen by 57%, dropping 23% between 2000 and 2004."

"The key to fighting gun crime is through aggressive enforcement of the Nation's existing gun laws, and through programs like President Bush's Project Safe Neighborhoods, we are keeping gun crimes down. In Fiscal Year 2004, federal prosecutors filed 11,067 firearms cases in federal courts, the highest number of such prosecutions in the history of the Justice Department-breaking that record for the third straight Fiscal year. Overall, federal firearms prosecutions increased by 76% between 2000 and 2004, and we are seeing a difference. Only 6% of violent incidents in 2004 involved the use of a firearm in the commission of a crime, a drop from 11% in 1993. In fact, the number of incidents of violent crime involving a firearm in 2004 was 34% lower than in 2000 and 73% lower than in 1993."

"The Bureau of Justice Statistics found that between 1993 and 2004, the rate of rape fell by 80%. During 2003

and 2004, there was a 28% drop in rapes and a 21% drop in rapes and sexual assaults from the previous two-year period. Robberies, aggravated assaults, and simple assaults continued their decrease over the same period. Between 1993 and 2004, the rate of aggravated assault dropped by 64%, and the rate of aggravated assault resulting in injury to victims declined by 53%. The violent crime and property crime rates have been at their lowest in more than a generation for three consecutive years. These historic lows are a reality thanks to the dedication and hard work of law enforcement officers, prosecutors, and corrections officers across America. We will continue working each day to protect all Americans from crime and to bring justice to those who violate the law."

## **In Nevada, Crime Rate Drops**

On average, there was one murder in Nevada every 49 hours in 2004. And a vehicle was stolen every 23 minutes last year. But Nevada's overall crime rate fell in 2004 after four straight years of increases, officials noted in the latest Crime and Justice in Nevada Report, published by the Nevada Department of Public Safety. The statistics come from the local law enforcement agencies. Based on the growing population, the crime rate in Nevada dropped to 46.9 offenses per 1,000 residents, down from 48.12 in 2003 in the eight major crime categories. Nationally the crime rate was 44.6 per 1,000 residents in 2003.

There is one segment of the report in which Las Vegas and unincorporated Clark County stand out for hate crimes. Of the total 76 hate crimes reported statewide, 68 were handled by the Las Vegas Metropolitan Police Department (Metro). These involved vandalism, assault, intimidation and robbery. Of the 68 hate crimes logged in Metro's jurisdiction, 31 were committed against blacks, 10 against Jews, seven against homosexuals and five against Hispanics, according to the report. Still, the overall crime rate decreased in Clark County in 2004. The survey said police agencies in Clark County reported 86,674 crimes for a rate of 50.5 offenses

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per 1,000 residents. The clearance or arrests totaled 17,466 or a 20.1 percent rate. In 2003, there were 83,000 crimes for a 51.2 rate. Arrests totaled 13,636 or a 16.4 clearance rate for 2003.

Statewide, the numbers of reported murders, robberies and larcenies in Nevada decreased in 2004 compared with the numbers reported in each of the prior two years, but the numbers of reported rapes, assaults, burglaries, vehicle thefts and arsons all rose in 2004. Another way to look at it is by grouping the crimes as violent or property crimes. As a group, the annual total of violent crimes - murders, rapes, robberies and aggravated assaults - increased by 4.2 percent in 2004, up to 14,387 from 13,811 in 2003.

For every 1,000 persons in Nevada, there were six violent crimes reported in 2004. Property crimes - burglaries, larcenies, vehicle thefts and arsons - increased by 2.3 percent in 2004. As a group, there were 98,902 reported compared with 96,709 in 2003. Property crimes made up 87.3 percent of all index crimes reported in Nevada in 2004, the report noted. For every 1,000 persons in Nevada in 2004, there were 41 property crimes reported. In the major crime categories, the Nevada report reflects the following:

Murders dropped to 180 statewide from 197 in 2003.

Robberies declined to 4,905 from 5,215

Larceny dropped to 52,437 from 53,325.

Rapes increased to 954 from 871.

Assaults increased to 8,348 from 7,528.

Burglaries rose to 23,137 from 21,962.

Auto thefts rose to 22,636 from 20,849.

Drug arrests rose to 11,190 from 9,858 and DUIs from 9,521 from 8,704.

## Fallon Paiute-Shoshone Tribal Programs

The Fallon Paiute-Shoshone Tribe has many unique programs. Two of the programs are the Stepping Stones Emergency Youth Shelter and the Children's Advocacy Center. Both programs are located at 2101 Agency Road, on the Stillwater Indian Reservation, 12 miles from the city of Fallon.

The Stepping Stones Youth Shelter has been operating since 1992. It houses up to 10 children, between the ages of 13 and 18. The children can stay at the facility for up to 90 days. The shelter offers many services to the children. The services include, but are not limited to, educational services, independent living skills, recreational activities, medical services, psychological services, personal development strategies, AA meetings, ropes course training, the "why try" program, American Indian arts and crafts, physical exercise and field trips.

The Children's Advocacy Center offers children who are victims of sexual abuse the services they need to help them heal. It has a trained forensic interviewer on staff and a child friendly interview room. The interview room has a two-way mirror and a camera for recording the interview.

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## President Bush Issues Presidential Message To Commemorate Native American Self-Determination

On July 8, 2005, President Bush issued a Presidential Message to commemorate the 35th anniversary of President Nixon's historic self-determination speech to the United States Congress. In his speech, President Richard M. Nixon laid the foundation for Indian self-determination, education assistance and economic development. President Bush is committed to strengthening the Indian right to self-determination and has supported policies that foster that right, including signing an Executive Memorandum on September 23, 2004 that reinforces the

unique government-to-government relationship with Indian tribes and Alaska Natives.

In his message, President Bush paid tribute to the courage and determination of Native Americans, and pledged that his Administration remains

committed to honoring the proud legacy of Native Americans by continuing to recognize the defining principles of Tribal Sovereignty and the right to self-determination."

The Presidential Message was delivered to all federally-recognized tribal leaders, along with a congratulatory note from Ruben Barrales, Deputy Assistant to the President and Director of White House Intergovernmental Affairs, who hosted a national White House conference call to highlight this important event. Mr. Barrales also hosted a national White House conference call to highlight this important event.

## Bush Administration in Indian Country

Ruben Barrales, Deputy Assistant to the President and Director of Intergovernmental Affairs and other White House staff spoke to members of the National Indian Gaming Association at their legislative summit in Washington, DC on July 13, 2005. On June 6, 2005, the Bush Administration announced the creation of a new office through the U.S. Department of Commerce's

Minority Business Development Agency. The Office of Native American Entrepreneurship and Trade will assist American Indian entrepreneurs and businesses to generate jobs and achieve economic selfsufficiency. Kay Bills, a member of the Osage Nation with over 30 years of experience in Indian Country with the Alaska Natives, will head the newly created office.

## Buckaroo Hall of Fame to Induct New Members

On September 3, 2005, four legendary cowboys will join Humboldt County's "Buckaroo Hall of Fame" as part of the 23rd annual Western Art Roundup.

Carl Hammond, the founder of the Western Art Roundup, decided to add the permanent museum-type display in 1988 at the Winnemucca Convention Center. Since 1990, well over 50 legends have been honored.

This year's honorees include the late George Able, Leslie Stewart, Claude Bryson and Clevon Dixon.



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## INDIAN COUNTRY CASE UPDATE

**RODNEY LEWIS HARNEY**, Duck Valley Indian Reservation, was charged by information with Assault. Harney is charged with assaulting a juvenile, who had not attained the age of 16 years at the time of the incident. On July 11, 2005, Harney entered a plea of guilty to one count of Assault. His sentencing in Federal Court has been set for November 21, 2005.

**RODNEY LEWIS HARNEY**, Duck Valley Indian Reservation, was indicted by a Federal Grand Jury on January 18, 2005, in a one count indictment charging him with Sexual Abuse of a Minor. On July 11, 2005, Harney entered a plea of guilty to the one count indictment. His sentencing in Federal Court has been set for November 21, 2005.

**CONNIE LOUISE WILCOX-FAST HORSE**, Fallon Reservation, was indicted by a Federal Grand Jury on December 22, 2004, in a one count indictment charging her with Larceny. Her trial in Federal Court has been set for November 28, 2005.

**LAVERN CHARLES FAST-HORSE**, Fallon Reservation, was indicted by a Federal Grand Jury on December 22, 2004, in a one count indictment charging him with Larceny. His trial in Federal Court has been set for November 28, 2005.

**DAVID IDUKEÏ MOOSE, Jr.**, Walker River Indian Reservation, was indicted by a Federal Grand Jury on March 2, 2005 in a one count indictment charging him with Assault With a Dangerous Weapon With Intent to do Bodily Harm. On September 13, 2005, Moose entered a plea of guilty to Assault. His sentencing in Federal Court has been set for December 5, 2005.

**MICHAEL EUGENE DAVIS**, Walker River Indian Reservation, was indicted by a Federal Grand Jury on March 30, 2005, in a one count indictment charging him with Aggravated Sexual Abuse. Davis was charged with beating and raping the victim. On May 4, 2005, Davis entered a plea of guilty to the one count indictment. On July 27, 2005, Davis was sentenced to 10 years imprisonment, life time probation and restitution in the amount of \$6,000.00.

**DOUGLAS HERZER**, Reno-Sparks Indian Colony, was indicted by a Federal Grand Jury on April 27, 2005. On June 13, 2005, Herzer entered a plea of guilty to one count of Assault With a Dangerous Weapon With Intent to do Bodily Harm. Herzer is charged with beating the victim with a metal object. His sentencing in Federal Court has been set for October 4, 2005.

**KINDLE MARIE JOHNNY**, Wells Indian Colony, was indicted by a Federal Grand Jury on April 27, 2005, with one count of Embezzlement from a Tribal Organization. She was charged with embezzling approximately \$37,000.00 from the Wells Indian Colony. Her trial in Federal Court has been set for November 8, 2005.

**GUY JOHNNY**, Wells Indian Colony, was charged by information with one misdemeanor count of Assault. He is charged with kicking and/or punching the victim. On August 8, 2005, Johnny entered a plea of guilty to the one count misdemeanor information. His sentencing in Federal Court has been set for November 4, 2005.

**STEPHANIE RUTH COLLINS**, Pyramid Lake Indian Reservation, was indicted by a Federal Grand Jury on April 28, 2004, on two counts of Assault. On October 5, 2004, Collins entered a plea of guilty to one count of Assault. On January 1, 2005, she was sentenced to three months imprisonment with five years probation. On June 29, 2005, Collins' probation was revoked and she was sentenced to three additional months of imprisonment.

**JASON SAM**, Battle Mountain Indian Reservation, was charged in a one count information on November 15, 2004, with Abusive Sexual Contact. On December 2, 2004, Sam entered a plea of guilty to the one count information. On February 1, 2005, Sam was sentenced to a term of five years probation. On August 25, 2005, Sam's probation was revoked and he was sentenced to a three month term of imprisonment.

**LYDIA SAM**, Battle Mountain Indian Reservation, was indicted by a Federal Grand Jury on August 31, 2005, on one count of Tampering With a Witness, one count of Perjury and one count of Impeding a Federal Officer. Her trial in Federal Court is set for November 15, 2005.

**ALEJANDRO HERNANDEZ**, Reno-Sparks Indian Reservation, was indicted by a Federal Grand Jury on August 31, 2005, on one count of Aggravated Sexual Abuse. His trial in Federal Court has been set for November 8, 2005.

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November 7, 8 or 9, 2005 - ***Serving and Protecting the Children of our Community*** in Reno, Nevada. Sponsored by the Washoe County Child Protection Enforcement Team. FREE ONE-DAY training for "First Responders" in the fields of Law Enforcement and Social work focusing on investigation child abuse, child neglect and child sexual abuse cases. For more information contact Beverly Walker at (775) 789-5417 or [bwalker@mail.co.washoe.nv.us](mailto:bwalker@mail.co.washoe.nv.us).

November 14-17, 2005 - ***Essential Skills for Tribal Gaming Commissioners*** in Reno, Nevada. Sponsored by The National Judicial College. For more information contact (800) 255-8343 or [registrar@judges.org](mailto:registrar@judges.org).

November 15-17, 2005 - ***Indian Child Welfare Act, Advanced and Indian Extended Family and Foster Family Care*** in Portland, Oregon. Sponsored by NICWA. For more information contact (503) 222-4044 or [martirai@nicwa.org](mailto:martirai@nicwa.org).

November 29-30, 2005 - ***Interdisciplinary Team Training*** in Ely, Nevada. For more information call (775) 289-6009.

December 6-8, 2005 - ***Family Centered Services for Indian Children and Basic Skills in Indian Child Welfare*** in Reno, Nevada. Sponsored by NICWA. For more information contact (503) 222-4044 or [martirai@nicwa.org](mailto:martirai@nicwa.org).

January 23-27, 2006 - ***20th Annual San Diego International Conference on Child and Family Maltreatment*** in San Diego, California at the Town and Country Resort and Convention Center. Sponsored by Chadwick Center for Children and Families at Children's Hospital. For more information go to [www.chadwickcenter.org](http://www.chadwickcenter.org).

January 30 - February 1, 2006 - ***5th Annual Sexual Violence Prevention and Intervention Conference*** in Las Vegas, Nevada. Sponsored by Nevada Coalition Against Sexual Violence and Nevada Advisory Council for Prosecuting Attorneys. For more information contact (702) 940-2033 or [www.ncasv.org](http://www.ncasv.org).

April 2-5, 2006 - ***24th Annual "Protecting Our Children"*** in San Diego, California. Sponsored by NICWA. For more information contact (503) 222-4044 or [justkim@nicwa.org](mailto:justkim@nicwa.org).

**THE 12TH ANNUAL NATIVE AMERICAN CONFERENCE  
IN WINNEMUCCA  
IS SCHEDULED FOR  
AUGUST 16 - 18, 2006**

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**United States Attorney's Office  
333 Las Vegas Blvd., South Suite 5000  
Las Vegas, NV 89101**

**Daniel G. Boyden, United States Attorney  
Ronald C. Rachow, Chief, Reno Division  
Sue Fahami, Assistant United States Attorney  
Vickie Dillon, Victim Witness Coordinator  
Debbie Waite, Victim Witness Specialist**

UNITED STATES ATTORNEY'S OFFICE  
District of Nevada  
333 Las Vegas Blvd., South #5000  
Las Vegas, NV 89101

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